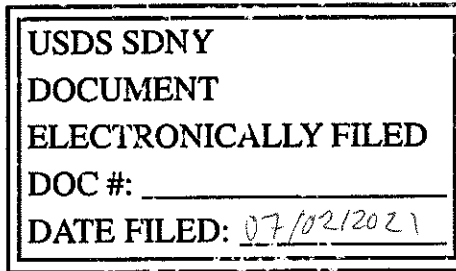


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Via ECF

July 1, 2021

The Honorable John G. Koeltl
United States District Judge
Daniel Patrick Moynihan U.S. Courthouse
Courtroom 12B
500 Pearl Street
New York, New York 10007-1312

Re: Mirror Worlds Technologies, LLC v. Facebook, Inc.
Civil Action No. 1:17-cv-03473 (JGK)

Dear Judge Koeltl:

We represent Defendant Facebook, Inc. ("Facebook") in this litigation. We write to request permission to file certain of the materials related to Facebook's Opposition to Plaintiff's Motion to Strike Portions of the Expert Report of Christopher J. Bokhart (D.I. 247) ("Motion to Strike") under seal. The materials Facebook seeks to file under seal contain confidential and proprietary information related to Facebook's products and services, and should be sealed for the particular reasons set forth below.

Pursuant to Your Honor's individual practices, the parties have met and conferred regarding their respective requests to file certain materials under seal, and have endeavored to narrow their requests as much as possible.

The redacted portions of Facebook's Memorandum in Opposition to Plaintiff's Motion to Strike contain highly sensitive information about confidential patent license and purchase agreements entered into by Facebook, including the identities of counterparties to those agreements. The underlying agreements were designated "Highly Confidential – Attorney's Eyes Only" under the Protective Order. Such information, if made public, would cause Facebook commercial and competitive harm by revealing to Facebook's competitors sensitive and proprietary information about Facebook's business and licensing practices. Therefore, Facebook respectfully requests that the unredacted version of Facebook's Memorandum, Docket No., remain under seal.

Exhibit 1 to the Declaration of Phil Morton is an excerpt of Defendant Facebook, Inc.'s Third Supplemental Responses and Objections to Plaintiff Mirror Worlds Technologies, LLC's Second Set of Interrogatories (Nos. 9-16), dated October 30, 2020. This excerpt, which was designated "Highly Confidential – Attorneys' Eyes Only," reflects highly sensitive information about confidential patent license and purchase agreements entered into by Facebook, and would cause Facebook commercial and competitive harm if made public. Facebook respectfully requests that this exhibit remain sealed in its entirety.



The Honorable John G. Koeltl
July 1, 2021
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Exhibit 2 to the Declaration of Phil Morton is Defendant Facebook, Inc.'s Third Supplemental Responses and Objections to Plaintiff Mirror Worlds Technologies, LLC's First Set of Interrogatories (Nos. 1-8), dated October 30, 2020. This excerpt, which was designated "Highly Confidential – Attorneys' Eyes Only," reflects highly sensitive information about Facebook's business practices, including practices relating to licensing, and would cause Facebook commercial and competitive harm if made public. Facebook respectfully requests that this exhibit remain sealed in its entirety.

Exhibit 4 to the Declaration of Phil Morton is an excerpt of the Expert Report of Plaintiff Mirror Worlds, LLC's Damages Expert, Jim W. Bergman. This exhibit, which was designated "Highly Confidential – Attorneys' Eyes Only," contains discussion of Facebook's confidential business information, including citation to confidential internal Facebook documents and deposition testimony. Such information, if made public, would cause Facebook commercial and competitive harm by revealing to Facebook's competitors sensitive and proprietary information about Facebook's products and business practices. Therefore, Facebook respectfully requests leave to file this exhibit under seal in its entirety.

Exhibit 5 to the Declaration of Phil Morton is an excerpt of the Rebuttal Expert Report of Facebook, Inc.'s damages expert, Christopher J. Bokhart. This exhibit contains discussion of confidential and proprietary business and technical information, including citation to confidential internal Facebook documents and deposition testimony. This Exhibit, which has been designated "Highly Confidential – Attorneys' Eyes Only – Patent Prosecution Bar," further contains sensitive and confidential information related to Facebook's business practices and licensing practices. Such information, if made public, would cause Facebook commercial and competitive harm by revealing to Facebook's competitors sensitive and proprietary information about Facebook's products and business practices. Therefore, Facebook respectfully requests leave to file this exhibit under seal in its entirety.

For the foregoing reasons, Facebook respectfully submits that filing under seal is warranted as to the items described herein.

Respectfully submitted,

/s/ Heidi L. Keefe

cc: All Counsel of Record via ECF